

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)
WEDNESDAY THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FIVE
: PRESENT:
THE HONOURABLE MR. JUSTICE : GODA RAGHURAM
CONTEMPT CASE No. 831 OF 2005**

Between:-

N. Srinivasas Rao S/o. Appala Naidu.

..Petitioners.

AND

Sri Attaluri Nageswasra Rao S/o. Adinarayana, Hon. Secretary,
The Hyderabad Gymkhana, Plot No. 7A & 7B, Road No.2,
Banjara Hills, Hyderabad.

(R.R. 1 & 3 in main writ petition are not necessary parties in this CC).

..Respondents.

The Contempt Case filed under Sections 10 to 12 of Contempt of Courts praying the High Court **to punish the respondent for contempt of Court, namely willful violation of the order of this Hon'ble Court order dated 8-12-2004 in WPMP.No. 29665 of 2004 in W.P.No. 22605 of 2004, in the interests of justice.**

The Contempt Case coming on for hearing upon perusing the Case and the affidavit filed herein and the order of the High Court dated: 10-8-2005 made herein and upon hearing the arguments of Mr. K. Balagopal, Advocate for the petitioner and of Mr. P. Nageswara Sree, Advocate for respondent, the Court made the following

ORDER:-

"The writ petition was filed by Hyderabad Gymkhana assailing the award of the Labour Court-I, Hyderabad dt : 12-02-2004 in I.D.NO. 1984 of 2001 whereby the petitioner herein was directed to be reinstated into service after declaration that the order of his termination is invalid but with 50% back wages. This Court while granting interim suspension of the award, by the order dt : 08-12-2004 made it subject to compliance by the writ petitioner with the provisions of Sec. 17-B of the Industrial Disputes Act, 1947. Complaining that the writ petitioner has not extended the benefits of Sec. 17-B. The contempt case is filed by the 2nd respondent workman. It is specifically averred by the contempt petitioner that the writ petitioner had paid him wages only for one (1) month by depositing the amount with the labour court but nothing has been paid for the subsequent months.

In the counter-affidavit filed to the contempt case, the writ petitioner has stated that Treasury challans for Rs. 2,876/-, Rs. 6,231/- and Rs. 10,385/- have been deposited in the Labour Court bearing treasury challan Nos. 10397, 1835 and 1650 respectively and that therefore the writ petitioner must be considered to have complied with the conditional interim order of this Court in the writ petition. The learned counsel for the contempt petitioner contests this fact and states that even on an enquiry made by the contempt petitioner before the Labour Court, the Labour court had informed him that the amount of Rs. 6,231/- claimed by the writ petitioner to have been deposited in the Labour Court by way of challan No. 1835, has not been so deposited. The petitioner has not received the payment. The learned counsel for the writ petitioners, would however contend that all the three (3) challans have been deposited.

In the above circumstances, the Labour Court No.1, Hyderabad is directed to submit a report as to whether the Hyderabad Gymkhana has deposited the amount of Rs. 6231/- by way of Treasury challan No. 1835,

the date on which deposit has been made and as to why, if deposited, the amount has not been paid to the petitioner.

Report to be submitted with in ten (1) das. List on 6-12-2005.”

DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

Contd..2...

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To

1. The Presiding Officer, Labour Court-1, Hyderabad(**By Special Messenger**)
- 2.Sri Attaluri Nageswasra Rao S/o. Adinarayana, Hon. Secretary,
The Hyderabad Gymkhana, Plot No. 7A & 7B, Road No.2,
Banjara Hills, Hyderabad.(**BY Special Messenger**)
- 3.One spare copy.

TKK

HIGH COURT

GR.J

DATE: 23-11-2005

ORDER

C.C. NO. 831 OF 2005

DIRECTION

DRAFTED BY TKK
DT.24-11-2005.

HIGH COURT

GR.J

DATE: 23-11-2005.

Note :- List on 6-12-2005.

ORDER

C.C. NO. 831 OF 2005

DIRECTION.